Appln. No.: 10/554,717
Amendment Dated September 22, 2008
Reply to Office Action of July 9, 2008

MAT-8771US

**Remarks/Arguments:**

Claims 1-22 are pending and stand rejected. By this amendment, claims 1-22 are amended.

No new matter is added by the claim amendments. Support for the claim amendments can be found throughout the original specification and, for example, in the original specification at page 28, lines 13-19.

**Allowable Subject Matter**

In the Office Action, at items 16 and 17, claims 2 and 9 are indicated to be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph.

### Claims 2 and 9

Claims 2 and 9 have been amended to overcome the rejection under 35 U.S.C. §112, second paragraph and are submitted to be allowable for the reasons set forth below.

### Claims 4, 6-7 and 14-22

Claims 4, 6-7 and 14-22 are indicated to be allowable if properly rewritten in independent form and to overcome the rejection under 35 U.S.C. §112, second paragraph.

Claim 20 has been rewritten into independent form and amended to overcome the rejection under 35 U.S.C. §112, second paragraph, and is also submitted to be allowable for the reasons set forth below.

Claims 14-19 and 21-22, which depend from claims 2 or 9, have been amended to overcome the rejection under 35 U.S.C. §112, second paragraph to render them allowable.

**Rejection of Claims 1-22 under 35 U.S.C. §112, second paragraph**

In the Office Action, at item 3, claims 1-22 are rejected under 35 U.S.C. §112, second paragraph as being indefinite.

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Claims 1-22 have been amended to overcome the rejection under 35 U.S.C. §112, second paragraph.

Reconsideration is respectfully requested.

### Rejection of Claims 1 and 8 under 35 U.S.C. §103(a)

In the Office Action, at items 9-15, claims 1, 3, 5, 8, 10, 12 and 13 are rejected under 35 U.S.C. §103(a) as unpatentable over McLaggan et al. (U.S. Patent Pub. No. 2005/0025179, hereafter referred to as McLaggan) in view of Li et al. (U.S. Patent No. 5,473,599, hereafter referred to as Li).

Reconsideration is respectfully requested.

Claim 1 is directed to a router selecting method in a local area network (LAN) which includes plural routers, at least one of the plural routers performs relaying with an external network, and recites:

> a forwarding step of, ... performing by the router, a redirection ...
> and
>
> a step of transmitting ... the redirection packet, the data packet and subsequent data packets to the specified router based on information in the redirection packet.

### McLaggan Reference

McLaggan discloses a virtual gateway GW is configured by the routers 212 and 216. Each of the routers has a plurality of virtual MAC addresses (i.e., vMAC address). The vMAC address is sent from the router with high traffic to the router with low traffic, based on the measured traffic flow on each of the plurality of vMAC addresses, for balancing the traffic flow of each router (see McLaggan at Fig. 2 and paragraph [0044].) In McLaggan, when an address resolution protocol (ARP) request 241 is sent from host 224 to router 212, router 212 responds with vMAC address 0007.B400.0108, as shown in Fig. 2. Moreover, the host 224 caches this vMAC address as the MAC address that corresponds to the default gateway IP address. The host 224, then, sends packets destined for a network outside the LAN to the cached vMAC address, which currently is assigned to gateway device 216. (See McLaggan at paragraph

[0048].)  That is, McLaggan discloses a process to set up a router with a vMAC address and then sending data packets destined for a network outside the LAN to the cached vMAC address. The present invention recites of claim 1 "a forwarding step of ... performing  ... a redirection" The forwarding step (e.g. the redirection) is repeated until the data packet is received by one of the routers which performs relaying of the data packet to the other segment or to the external network.  McLaggan is silent regarding the forwarding step and, in particular, the repetition of such a forwarding step.  Moreover, Applicants submit that McLaggan is silent regarding the use of a redirection packet. McLaggan merely discloses that the active virtual gateway (AVG) 212 distributes the vMAC address to the requesting host, but is silent regarding a redirection packet.

**Li Reference**

The addition of Li does not overcome the deficiencies of McLaggan.  This is because, Li at the portions cited by the Examiner does not disclose or suggest "the forwarding step recited in claim 1 (i.e., the forwarding step of, if the router which has received the data packet does not relay the data packet to the other segment, performing, by the router, a redirection by:  (1) specifying the selected router as the relay destination to a source node or router which originally sent the data packet and (2) one of: (i) forwarding the data packet to the specified router or (ii) discarding the data packet and (3) transmitting a redirection packet to the source node," as required by claim 1.  Li is also silent at these cited portions regarding a redirection packet and the repetition of the forwarding step.

Accordingly, it is submitted that claim 1 patentably distinguishes over McLaggan in view of Li for at least the above-mentioned reasons.

**Claim 8**

Claim 8, which includes similar but not identical features to those of claim 1, is submitted to patentably distinguish over McLaggan in view of Li for at least similar reasons to those regarding claim 1.
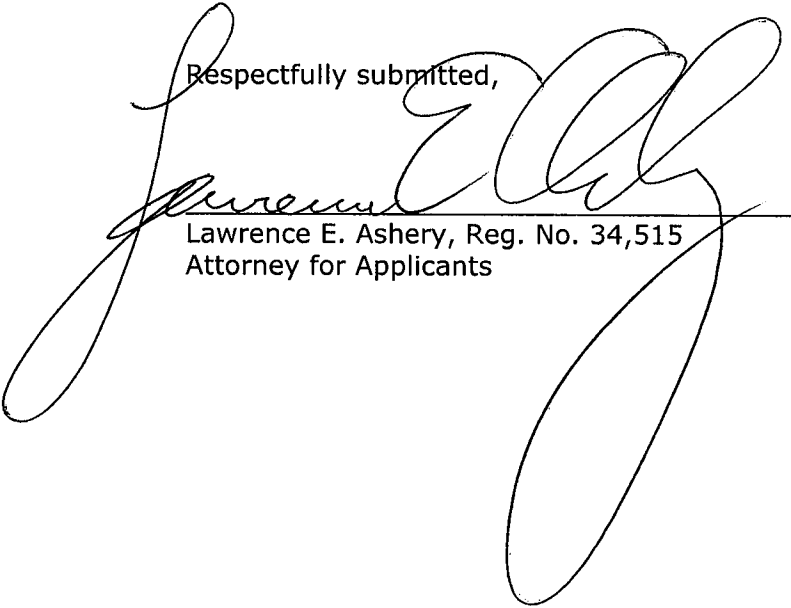
**Claims 3, 5, 10 and 12-13**

Claims 3, 5, 10 and 12-13, which include all of the limitations of claim 1 or claim 8, are submitted to patentably distinguish over McLaggan in view of Li for at least the same reasons regarding claims 1 or 8.

**Conclusion**

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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Dated: September 22, 2008

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SO_310051